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JUN 27 2006

ROBERT H. SHEMWELL, CLERK  
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

CARL LEWIS, individually and on : DOCKET NO. 05-2129  
behalf of MORGAN LEWIS

VS. : JUDGE MINALDI


CITY OF LAKE CHARLES, ET AL. : MAGISTRATE JUDGE WILSON

JUDGMENT OF DISMISSAL

On May 4, 2006, the court issued an order advising plaintiff that the court was considering dismissing defendant, ABC Insurance Co. because there was no indication that plaintiff had sought to amend his complaint to substitute a properly named defendant for the fictitious defendant. (See, May 4, 2006, Notice of Intent to Dismiss). Plaintiff was allotted 20 calendar days to amend his complaint to substitute a properly named defendant for ABC Insurance Co. or to file evidence of good cause for his failure to timely proceed against said defendant. More than 20 days have since elapsed without any response from plaintiff.

Accordingly, it is ordered that plaintiff's claims against defendant, ABC Insurance Co. be, and they are hereby DISMISSED, without prejudice. LR 41.3W. Said defendant may be reinstated upon good cause shown within thirty (30) days from today.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 22 day of June, 2006.

  
PATRICIA MINALDI  
UNITED STATES DISTRICT JUDGE